

REMARKS

The claims have been amended to more clearly define the invention as disclosed in the written description. In particular, the claims have been amended for clarity.

Applicants believe that the above changes answer the Examiner's 35 U.S.C. 101 rejection thereof and respectfully request withdrawal thereof.

The Examiner has rejected claims 1-7, 9-18 and 21-22 (and arguably claim 20) under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,535,889 to Headrick et al. in view of U.S. Patent 6,571,279 to Herz et al. The Examiner has further rejected claims 8 and 19 under 35 U.S.C. 103(a) as being unpatentable over Headrick et al. in view of Herz et al., and further in view of U.S. Patent 6,407,665 to Maloney.

The Headrick et al. patent discloses a system and method for obtaining and displaying an interactive electronic representation of a conventional static media object in which a computer display includes an image of an object (e.g., hat 706) to be, for example, purchased by a user of the computer. "When a user moves the screen pointer 802 across a screen region adjacent to or encompassing hat 706, detailed product text information may be displayed...." (col. 11, lines 31-33).

The Herz et al. patent discloses a location enhanced delivery system "which customizes the information that is displayed

to an information recipient based on optimizing a match between information purveyors, such as advertisers, and the information recipients who are local to an information delivery system" (col. 1, lines 48-54), in which "user profiles may be in part generated/updated in accordance with the target object profiles the users visit...." (col. 18, lines 34-55).

The subject invention relates to a method for modifying a unique profile of a person by making use of at least one physical object associated with the person and having a tag containing optically encoded or electronically stored information concerning the physical object. Applicants have found that physical items, memento's, knick-knacks and other personal possessions reflect upon the owner's tastes, likes and personality. "Smart labeling" may then be used to gather information of objects owned by a person. "Smart labeling" preferably includes attaching to or embedding Radio Frequency Identification (RFID) tags into objects. These RFID tags contain information concerning the object to which the tag is attached/embedded. This information may be descriptive of the object or may be directors for pointing a reader of the information to a location (e.g., website) for retrieving an object profile. Alternatively, the information may be contained in a barcode.

The subject invention, as claimed in claim 1, includes "retrieving said optically encoded or electronically stored information related to the physical object from said tag",

"electronically accessing an object profile in accordance with the information retrieved from the tag", "electronically accessing a unique profile associated with the person", and "modifying the unique profile in accordance with the object profile".

Applicants submit that the combination of Headricks et al. and Herz et al. neither disclose or suggest physical objects containing information-carrying tags, and the retrieving of such information from these tags such that an object profile contained in or identified by the information may be used to modify a unique profile of the person owning the physical objects.

The Maloney patent discloses an object tracking system with non-contact object detection and identification.


First, Applicants submit that Maloney is not analogous to the combination of Headricks et al. and Herz et al. in that the combination of Headricks et al. and Herz et al. are related to computer systems and the presentation of information in the computer system.

Further, Applicants submit that the combination of Maloney with Headricks et al. and Herz et al. would be directed toward items that are not in the possession of the user, but rather to objects that the user may desire to purchase. Hence, there is no incentive for using the combination of Maloney/Headricks et al./Herz et al. for objects already in the user's possession.

In view of the above, Applicants believe that the subject invention, as claimed, is not rendered obvious by the prior art, either individually or collectively, and as such, is patentable thereover.

Applicants believe that this application, containing claims 1-22, is now in condition for allowance and such action is respectfully requested.

Respectfully submitted,

by   
Edward W. Goodman, Reg. 28,613  
Attorney  
Tel.: 914-333-9611